

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

WILLIAM J. WAGNER,

Plaintiff,

-vs-

CHIARI & ILECKI, LLP,

Defendant.

STIPULATION

Docket No. 15-cv-633-FPG

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for all parties to this action, that plaintiff, WILLIAM J. WAGNER, will not call Seth J. Andrews, Esq., as a witness at the trial in this matter; and

IT IS FURTHER STIPULATED AND AGREED that plaintiff will not offer as evidence any statements of Seth J. Andrews, Esq., that are inconsistent with plaintiff's responses to defendant's requests for admission, dated November 16, 2016, in connection with any dispositive motions made in this matter; and

IT IS FURTHER STIPULATED AND AGREED that plaintiff's responses to defendant's requests for admission, dated November 16, 2016, may be offered as evidence and read to the jury at the trial in this matter; and

IT IS FURTHER STIPULATED AND AGREED that defendant, CHIARI & ILECKI, LLP, hereby withdraws its notice of the deposition of Seth J. Andrews, Esq., dated October 18, 2016.

DATED: Buffalo, New York
November __, 2016

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November __, 2016

Kenneth R. Hiller, Esq.
Law Offices of Kenneth Hiller
Attorneys for Plaintiff,
William J. Wagner
6000 N. Bailey Avenue – Suite 1A
Amherst, New York 14226
(716) 564-3288
khiller@kennethhiller.com

Terrence M. Connors, Esq.
Paul A. Woodard, Esq.
CONNORS LLP
Attorneys for Defendant,
Chiari & Ilecki, LLP
1000 Liberty Building
Buffalo, New York 14202
(716) 852-5533
tmc@connorsllp.com
paw@connorsllp.com